

REMARKS

Applicants have studied the Office Action dated July 13, 2005, and have made amendments to the claims. Claims 13-16 and 18-21 are pending. Claim 13 is an independent claim. Claims 13 and 21 have been amended. No new matter has been entered. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claim objections

The Examiner objected to claim 21 due to informalities. Specifically, the Examiner asserted that the word “edge” should be “etch.”

With this paper, claim 21 has been amended as suggested by the Examiner. It is respectfully submitted that the grounds for the objection have been overcome and it is respectfully requested that the Examiner withdraw the objection.

§ 102 Rejections

Claims 13 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ishizaki et al. (“Ishizaki” U.S. Patent No. 6,044,041). This rejection is respectfully traversed.

It is respectfully noted that Ishizaki discloses two mirrors. See elements 69 and 70 in Ishizaki FIG. 4. On the other hand, it is respectfully noted that independent claim 13 recites a single mirror.

In paragraph 9 of the Final Office action, the Examiner asserts that, because the preamble of claim 13 recites the term “comprising”, a reference having more than one mirror is not precluded from use as an anticipating reference and further states that “the Ishizaki et al. reference does disclose at least a single micro mirror.” Applicant respectfully disagrees with the Examiner’s assertion regarding the use of a reference having more than one mirror.

It is respectfully noted that claim 13 does not recite “at least” a single micro mirror, but rather recites “a single micro mirror.” Although the use of the word “comprising” does not limit the claim to only the recited elements, it is respectfully submitted that the use of the word “single” in claim 13 without the phrase “at least” does limit the structure of the claimed “optical

pickup head” to only one mirror. Therefore, it is respectfully asserted that a reference having more than one mirror, as does Ishizaki, does not anticipate claim 13.

Although it is believed that claim 13 is allowable over the cited reference in its present form, claim 13 has been amended with this paper to more clearly disclose the claimed optical pickup head structure by reciting such that only one micro mirror is mounted in the optical pickup head. This limitation is significant given the stated object of the present invention to “provide an optical pickup head, of which weight is minimized for enhancing tracking accuracy and speed.” See specification at paragraph 06. It is respectfully submitted that mounting only one micro mirror in the optical pickup head reduces weight.

Therefore, it is respectfully asserted that the invention of independent claim 13 is patentably structurally different from the invention disclosed by Ishizaki and claim 13 is allowable over the cited reference. It is further respectfully asserted that claim 18, which depends from claim 13, also is allowable over the cited reference.

§ 103 Rejections

Claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizaki in view of Jerman et al (“Jerman” U.S. Patent No. 6,061,323). This rejection is respectfully traversed.

As previously asserted, independent claim 13 is allowable over Ishizaki. It is respectfully submitted that Jerman fails to cure the deficiencies of Ishizaki with respect to the recitation of only one micro mirror is mounted in the optical pickup head in independent claim 13. Therefore, it is respectfully asserted that independent claim 13 is allowable over the cited references. It is further respectfully asserted that claims 14 and 15, which depend from claim 13, also are allowable over the cited reference.

Claims 16 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizaki and Jerman as applied to claim 15 and further in view of Ohashi et al (“Ohashi” U.S. Patent No. 6,487,224). This rejection is respectfully traversed.

As previously asserted, independent claim 13 is allowable over Ishizaki and Jerman. It is respectfully submitted that Ohashi fails to cure the deficiencies of Ishizaki and Jerman with respect to the recitation of only one micro mirror is mounted in the optical pickup head in independent claim 13. Therefore, it is respectfully asserted that independent claim 13 is

allowable over the cited references. It is further respectfully asserted that claims 16 and 21, which depend from claim 13, also are allowable over the cited reference.

Claims 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizaki in view of Mandella (U.S. Patent No. 6,181,478). This rejection is respectfully traversed.

As previously asserted, independent claim 13 is allowable over Ishizaki. It is respectfully submitted that Mandella fails to cure the deficiencies of Ishizaki with respect to the recitation of only one micro mirror is mounted in the optical pickup head in independent claim 13. Therefore, it is respectfully asserted that independent claim 13 is allowable over the cited references. It is further respectfully asserted that claims 19 and 20, which depend from claim 13, also are allowable over the cited reference.

CONCLUSION

In view of the above remarks, Applicant submits that claims 13-16 and 18-21 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

By: 

Richard C. Salfelder
Registration No. 51,127
Attorney(s) for Applicant

Date: November 11, 2005

Customer No. 035884

801 S. Figueroa Street, 14th Floor
Los Angeles, California 90017
Telephone: 213-623-2221
Facsimile: 213-623-2211